

# **Exhibit E**



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**VIA AIRBORNE MAIL**

Brian C. Kunzler, Esq.  
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8 East Broadway, Suite 600  
Salt Lake City, UT 84111

Subject: U.S. Patent Application for  
"Backup by ID-suppressed Mirroring then Backup of Target with ID  
Reintroduced"  
Inventor(s): John G. Thompson  
IBM Docket No.: SJO920030102US1

Dear Brian,

Enclosed please find a copy of the disclosure, prior art search results and inventor information for the above-identified docket. Please prepare a patent application based on the enclosed. Your inventor contact is John Thompson, who can be reached at (520) 799-5073. Please contact the inventor as soon as possible to begin to prepare the application, and file the application by March 8, 2004 (three months). Please contact me in advance if you anticipate not meeting this deadline.

Please thoroughly review the enclosed copy of the IBM San Jose / Tucson Outside Counsel Guidelines ("Guidelines"). If work will be assigned to others in the firm, please ensure that they understand the Guidelines.

Please prepare a specification describing embodiments available from the enclosed disclosure together with a brief discussion with the inventor(s), however please do not expend undue time in developing embodiments beyond those prepared by the inventor(s) at the time of disclosure so long as legal requirements (such as best mode, etc.) are satisfied. Also, please prepare a maximum of 20 claims including not more than three independent claims. If you find that you will require more than 20 claims or three independent claims to cover the invention, please contact me to discuss.

The maximum amount authorized to prepare this application and the entire set of application documents described in the Guidelines is \$5,000.00. Please note this amount

includes preparing and filing the patent application (exclusive of draftsman and USPTO fees), Declaration and Power of Attorney (signed by the inventors), Assignment, Information Disclosure Statement (IDS), and filing the formal drawings with the application. If you believe it will cost more to prepare and file the foregoing, please contact me before starting to prepare this application. Please do not exceed the authorized amount without express written authorization from me.

Please let me know if you need anything further. Thank you for your assistance in filing this application.

Sincerely yours,

A handwritten signature in cursive script that reads "Bryan W. Butler".

Bryan W. Butler  
Senior Attorney

BWB/mrt  
Enclosures